

same force and effect as if the employee or technician of the criminalistics laboratory who accomplished the requested analysis, comparison, or identification had testified in person. An accused person or the person's A party or the party's attorney may request that such an employee or technician testify in person at a criminal trial, administrative hearing, or forfeiture proceeding on behalf of the state before a jury or to the court or the adverse agency of the state, by notifying the proper county attorney, or in the case of an administrative proceeding the adverse agency, at least ten days before the date of such the criminal trial, administrative hearing, or forfeiture proceeding.

Approved April 28, 1986

**CHAPTER 1148**  
**DISTRICT JUDGE APPORTIONMENT**  
*S.F. 2123*

**AN ACT** relating to the judgeship formula for the apportionment of district judges.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 602.6201, subsection 3, Code 1985, is amended to read as follows:

3. The number of judgeships to which each of the judicial election districts is entitled is determined according to the following formula:

a. In an election district where the largest county contains two hundred thousand or more population, there is one judgeship per seven hundred twenty-five combined civil and criminal filings or major fraction thereof. A judicial election district containing a city of fifty thousand or more population is entitled to the number of judgeships equal to the average, rounded to the nearest whole number, of the following two quotients, each rounded to the nearest hundredth:

(1) The combined civil and criminal filings in the election district divided by five hundred fifty.

(2) The election district's population divided by forty thousand.

However, the seat of government is entitled to one additional judgeship.

b. In an election district where the largest county contains eighty-five thousand or more population, but less than two hundred thousand, there is one judgeship per six hundred twenty-five combined civil and criminal filings or major fraction thereof. All other judicial election districts are entitled to the number of judgeships equal to the average, rounded to the nearest whole number, of the following two quotients, each rounded to the nearest hundredth:

(1) The combined civil and criminal filings in the election district divided by four hundred fifty.

(2) The election district's population divided by forty thousand.

c. In an election district where the largest county contains forty-five thousand or more population, but less than eighty-five thousand, there is one judgeship per five hundred twenty-five combined civil and criminal filings or major fraction thereof.

d. In an election district where the largest county contains less than forty-five thousand population, there is one judgeship per four hundred seventy-five combined civil and criminal filings or major fraction thereof.

e. Notwithstanding paragraph "a," "b," "c," or "d," each election district is entitled to not less than one judgeship for each forty thousand population or major fraction thereof contained in the election district.

f. The filings included in the determinations to be made under this subsection shall include juvenile court filings after July 1, 1985, shall not include small claims or nonindictable misdemeanors, and shall not include either civil actions for money judgment where the amount in

controversy does not exceed three thousand dollars or indictable misdemeanors, which were assigned to district associate judges and judicial magistrates as shown on their administrative reports, but shall include appeals from decisions of judicial magistrates, district associate judges, and district judges sitting as judicial magistrates. The figures on filings shall be the average for the latest available previous three-year period and when current census figures on population are not available, figures shall be taken from the state department of health computations.

Sec. 2. Section 602.6201, subsection 10, Code 1985, is amended to read as follows:

10. Notwithstanding the formula for determining the number of judgeships in this section, the number of district judges shall not exceed ~~ninety-nine~~ one hundred during the period commencing ~~July 1, 1983~~ and ending as the general assembly shall specify January 1, 1987.

Approved April 28, 1986

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**CHAPTER 1149**  
**HAZARDOUS WASTE FACILITY SITES**  
*S.F. 2177*

**AN ACT** requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 455B.422, Code Supplement 1985, is amended to read as follows:  
455B.422 ACQUISITION AND LEASE OF SITES.

The commission shall adopt rules establishing criteria for the identification of land areas or sites which are suitable for the operation of a treatment, ~~or disposal,~~ or storage facility. Upon request, the department shall assist the executive council in locating suitable sites for the location of a treatment, ~~or disposal,~~ or storage facility. The commission may recommend to the executive council the purchase or condemnation of land to be leased for the operation of a treatment, ~~or disposal,~~ or storage facility. The executive council may purchase or may condemn the land subject to chapter 471. Consideration for a contract for purchase of land shall not be in excess of funds appropriated by the general assembly for that purpose. The executive council upon recommendation of the commission may lease land purchased under this section to any person including the state or a state agency. This section authorizes the state to own or operate a hazardous waste treatment, ~~or disposal facility,~~ or storage facilities for the treatment, ~~and disposal,~~ and storage of hazardous wastes. The terms of the lease shall establish responsibility for long-term monitoring and maintenance of the site. The lessee is subject to all applicable requirements of this part including permit requirements. The commission ~~may~~ shall require the lessee to post bond conditioned upon performance of conditions of the lease relating to long-term monitoring and maintenance. The leasehold interest including improvements made to the property shall be listed, assessed, and valued as any other real property as provided by law. A facility acquired or operated pursuant to this section is subject to the licensing requirements of section 455B.443.

Sec. 2. Section 455B.448, subsection 1, Code 1985, is amended by adding the following new lettered paragraphs j and k and relettering the remaining lettered paragraph:

**NEW LETTERED PARAGRAPH. j.** The availability of alternative sites and methods of treatment, disposal, or storage, including cost comparisons. The cost comparisons shall cover short and long-term costs including, but not limited to, liability insurance, postclosure